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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

December 28, 1992

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

RE: In the Matter of Administration of the North American Numbering Plan  
CC Docket No. 92-237

Dear Ms. Searcy:

Attached are the original and five copies of the Comments of Sprint in the matter referenced above.

Sincerely,

*Jay C. Keithley* / by *mm*

Jay C. Keithley

Attachment

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of ) CC Docket No. 92-237  
Administration of the )  
North American Numbering Plan )

COMMENTS OF SPRINT

Respectfully submitted,

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## SUMMARY

Sprint supports the Commission's inquiry into the need for further policy guidance in North American Numbering Plan ("NANP") resource allocation and into the need for neutrality in administration of this resource. All industry segments should participate in the development of policy concerning NANP resource allocation. The Commission should establish forward looking NANP policy and not rely on after-the-fact audits of NANP administrative action. Strict neutrality must be ensured. All NANP resource users should assist in NANP administration funding. The Commission should encourage the industry to reach consensus on NANP issues, but, in the absence of consensus, must establish NANP policy in the public interest.

While local number portability and personal numbering plans should be considered, the benefits of these numbering schemes must be carefully weighed against the costs of development and implementation before any decisions are made.

Expansion of CIC codes to four digits is appropriate. Because three and four digit CIC codes may coexist, the current three digit CIC codes should be retained and four digit CIC should be used for expansion. Retention of existing three digit CIC codes minimizes customer confusion and re-education expenses.

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## COMMENTS OF SPRINT

## I. INTRODUCTION

Sprint views the numbering system employed in telecommunications as a public resource that must be utilized in the

public interest. The FCC, as the primary federal arbiter of the public interest, should establish forward-looking policies to use the numbering resource fairly and wisely to the benefit of the public. Heavy competing demands from different industry segments are placing strain upon both the current North America Numbering Plan ("NANP") and upon Bellcore, the current NANP administrator. Without firm public policy guidance, important NANP decisions either will be left unmade, languishing in a "lack of consensus" and stalled in a partisan battle between industry segments, or decided in a manner that is at least perceived to be discriminatory and unreasonable.

## **II. PHASE I COMMENTS**

### **A. The Need for Neutrality in the Administration of the NANP**

As the Commission noted in the NOI, many in the telecommunications industry "believe that administration of the NANP by Bellcore involves an inherent conflict of interest" because of an "inevitable influence" exerted by Bellcore's owners in favor of their own interests (at para. 25). Sprint agrees that this is a serious concern. There are indicators that NANP resource requests have been, and may continue to be, evaluated using different, possibly discriminatory, criteria depending, at least in

part, upon the identities of the parties making and considering the request.<sup>1</sup> To resolve this concern, the Commission seeks comment on whether NANP administrator ("NANPA") responsibilities should be transferred to a neutral third party (at para. 28).

Sprint believes that responsibility for making policy decisions regarding management of NANP resources should be broadly shared by affected parties in all industry segments. In light of the rapidly changing competitive landscape, it is increasingly inappropriate to continue to concentrate such policy making authority solely with Bellcore in its capacity as the NANPA.

Demand from service providers of both existing and new services, for scarce NANP resources, is expected to increase dramatically over the next several years. Given the finite nature of NANP resources, it is clear that significant additional industry input into NANP administration is sorely needed. Bellcore has suggested that an advisory council should be established "to advise it on issues relative to the administration and design

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1. NOI at para. 25-26; see also Sprint's Comments in CC Docket No. 92-1 (The Use of N11 Codes and Other Abbreviated Dialing Arrangements), filed June 5, 1992, at pp. 8-11. NANP resource requests have been brought before multiple venues, including federal and state regulatory agencies, Bellcore (as the NANP administrator), and various industry fora, including the IILC, ICCF, and CLC. Sprint Communications Company brought to the CLC a proposal that all numbering activities be consolidated into one forum and that a set of policy guidelines be developed and consistently applied to assignment and use of all numbering resource. The CLC accepted this proposal at its September, 1992 meeting as an issue to be addressed.

of the NANP" (at para. 32). This suggestion does not go far enough. The recommendations of the "advisory council" envisioned by Bellcore apparently would not be binding upon Bellcore as the NANPA: it could adopt or reject such recommendations as it deems fit. Thus, Bellcore would still be susceptible to and influenced by the pressures exerted by its BOC owners. This arrangement clearly does not ensure the needed neutrality in NANP administration.

Establishment of an oversight body, as alluded to in the NOI (at para. 32), is a necessary, but not sufficient, condition to ensure the unbiased administration of the NANP. Obviously, there is a need to review decisions made and to audit the administrator's systems and procedures, in order to minimize the possibility of unlawful discrimination. In Sprint's view, ultimate oversight responsibility resides with the relevant federal and/or state regulatory agency. However, it is not enough (nor is it efficient) to simply review policy decisions already made by the NANPA. After-the-fact review may come too late to prevent harm. Equally important, after-the-fact review at best, can only serve to correct blatant mistakes. It would not ensure that the optimal decisions were made in the first instance, (for example, such review may not include a

comprehensive evaluation of alternative solutions)<sup>2</sup>; and its decisions could be limited by the information presented by the NANPA (whether Bellcore or some other entity) in defense of its decision. Deciding upon the allocation or use of NANP resources should be based upon an unbiased review of the facts and a careful assessment of which course of action will maximize the public interest. This process should occur well before allocation decisions are made; rather than post hoc, in the audit stage.

Sprint believes that fairness in the administration of the NANP is most likely to be achieved through the formation of a policy-making body in which participation is open to all interested parties, including LECs, ICs, CAPs, ESPs, PCS providers, mobile service providers, and regulators. Discussions regarding NANP resource management should be consolidated before this non-partisan forum to help ensure equitable representation of the interests of different parties and to provide participants with a broad perspective on the scope of NANP issues, problems, and the implications of decisions that will be made. Considering NANP resource requests in this single venue would also maximize the likelihood that NANP resource requests are evaluated according to

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2. The importance of the oversight function depends in part upon what entity is chosen to serve as the NANP administrator. If Bellcore remains the NANPA, there is obviously a far greater need for comprehensive oversight than if a neutral third party administrator is chosen.

a defined criteria,<sup>3</sup> and facilitate participation by affected parties.<sup>4</sup> While management by committee is not always the most effective means of governance,<sup>5</sup> such a structure may be necessary given the many competing uses for NANP resources. It is to be hoped that, with firm public policy guidance from the Commission, whatever industry body is created will be able to fairly address NANP management issues.

**B. NANP Administration Funding**

Bellcore, as an affiliate of the Bell Operating companies, has been funded by the Bell companies. The NANP administration funding has been provided by Bellcore's owners. Increasingly, demands for NANP resources have been made by non-LECs that are not directly responsible for funding NANP administration. As these other industry segments participate in NANP

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3. The public interest would be served if this industry body adopted nondiscrimination guidelines to govern the administration of the numbering resource. Several nondiscrimination principles developed by Bellcore and representatives of various industry segments are set forth in Attachment A.

4. Smaller companies in particular are subject to resource constraints which may prevent them from participating in a multiplicity of industry fora. Parties who do not participate in the various fora run the risk of being excluded from discussions affecting their business interests.

5. Sprint is aware that efforts to form a policy/management group to handle issues related to the 800 database have been slow and often contentious. One lesson to be learned from the 800 experience is the importance of Commission involvement (at least in an oversight capacity) early in the process, to ensure that parties who now largely control number administration do not attempt to impose an unacceptable structure or unreasonable terms upon other participants.

policy formation and in the use of the NANP resources, they should be required to pay their share of NANP administration costs.

Sprint understands the difficulty of creating a "fair" funding plan. A flat cost allocation to each company using NANP resources does not recognize that some companies use more numbering resources than others, or that a user of little NANP resource may still be a high revenue and profit producer in comparison to another company. For instance, AT&T Communications currently uses few dedicated NANP resources yet it has millions of customers and billions of revenues. In contrast, a small LEC uses far more dedicated NANP resources and has far smaller revenues and customer base. For these reasons, asking a small LEC to pay the same as AT&T or a small cellular carrier the same as a RBOC is inequitable. Thus, an alternative funding mechanism, such as one based on customer count, should be considered. Like USF/lifeline payments, funding obligations could be based upon a minimum customer threshold base. Trade groups, whose members have not already paid for NANP administration, could be assessed their share based on their members' unassessed customer counts.

Those companies and associations that do not assist in funding NANP administration should not be given a voice or a vote in the industry NANP policy and administration council. This action should encourage widespread participation.

**C. NANP Dispute Resolution**

The Commission must act to break logjams when the industry cannot reach consensus. Timely policy determinations that weigh public convenience against cost, must be made. Over time, numbering needs will change and the Commission must act to adapt public policy to those changed needs. Currently, the Commission is faced with decisions concerning N11 codes, number portability and personal numbering. A consensus on whether these proposals should be adopted, and if adopted, in what time frame, does not yet exist. The Commission must weigh the costs and provide policy guidance on issues such as these.

In the NOI the Commission questions whether "mediation and arbitration techniques" used in "alternative dispute resolution and negotiated rulemaking" can be productively applied to an industry consensus process (at para. 31). Sprint believes that many disputes concerning NANP administration can be worked out through a consensus building process. Workshops that identify areas of agreement and disagreement may be a productive means of addressing disputes.

At the point where areas of disagreement have been fully considered in fora, alternative dispute resolution holds little promise. The reason that mediation and arbitration would not be particularly productive is the number of participants in the industry. The parties have already failed to reach consensus in the fora process. While mediation and arbitration may be effective dispute resolution techniques when a dispute exists

between a few parties, in this case, literally hundreds of parties could be involved. Alternative dispute resolution, as identified by the Commission, will not function well under these circumstances because of the potential diversity of needs and the natural reluctance of the parties to trust championing their issues to a trade group or other representative that does not fully represent their interests.

The best hope of breaking lack of consensus logjams, in Sprint's view, rests with the Commission. Consistent participation in industry fora and reports from the NANP administrator will keep the Commission apprised of areas where a lack of consensus exists. The Commission can then act to develop policy to provide industry direction to resolve these conflicts.

**D. Personal and Portable Numbers**

The Commission has recently experienced its first taste of number portability in relation to 800 service. The costs of developing and implementing this process have been high, as are the expected rewards. However, 800 number portability is a much smaller task than either local number portability or personal numbering plans. The Commission must carefully weigh the costs of moving to these plans, the timeframe when such a move should take place, and the benefit to society that implementation of local number portability or personal numbering would provide. Simply stated, the benefits to society must outweigh the costs.

Sprint does not oppose the development of portable, nongeographic numbering codes that may be used for personal num-

bering purposes. However, no one segment of the industry should be expected to fund development and deployment of these ambitious programs. The current public switched network lacks the intelligence to handle such a numbering plan and needed network upgrades, even if they were available, will take billions of dollars, many years, and significant industry agreement. Before the industry embarks on such a plan, the costs, cost recovery mechanism, risks, and realistic implementation time line should be understood.

Clearly, development of 800 number portability capability is a good first step towards personal numbering. However, 800 number portability simply associates a customer, at a fixed point, with a specific network. An end user may keep the same 800 number but may switch carriers. In this sense, the customer is still "fixed" geographically. Local number portability takes this one giant step forward to allow an end user to keep the same local telephone number but switch local carriers. Complexity and cost increase dramatically as the number of customers multiply and the data storage and processing needs grow. This dramatic expansion in the range of options already available to customers clearly leads to the conclusion that local number portability would be classified as a new service under price caps. Alternatively, the significant costs necessary to implement local number portability must be recognized as exogenous costs in the LEC price cap plan.

In personal numbering, a customer, no matter where they are geographically, may place and receive telecommunications messages. It is a giant leap from number portability, which is based on a geographically fixed number location, to personal numbering, which is based on the needs of mobile customers. Many years of planning and new generations of hardware will be required before widespread implementation of personal numbering can become a reality.

Sprint believes that neither local number portability nor personal numbering plans should be adopted as Commission or industry initiatives until the costs and resource commitments are well understood and have been weighed against the benefits to society. Potential degradation to call set up times must be considered. Further, cost allocations to users must be examined, as must the willingness to pay by those claiming to want the service.

### **III. PHASE II COMMENTS ON FGD ISSUES**

In Phase II of the NOI, the Commission seeks comment on expansion of FGD CIC codes to four digits, and whether there are alternative technical approaches that would allow all long distance carriers and other end users to achieve equal access (at para. 38). As discussed below, CIC code expansion is proceeding in an orderly fashion, and should not be derailed. Sprint is also unaware of any new alternative equal access technologies.

Sprint believes that FGD CIC code expansion to a 4-digit format is needed and is following an appropriate time line to implementation. Nothing should be done to change the current direction of FGD CIC code expansion. The current supply of 3-digit CIC codes is almost exhausted. Thus, adoption of 4-digit codes is required to meet industry demand.

CIC codes are used for IC billing by LECs, for call routing, and for 10XXX dialing by end users. No technical need exists to replace, wholesale, 10XXX with 101XXXX. The 10XXX codes and 101XXXX codes may coexist without difficulty. Forced abandonment of the embedded 10XXX codes will only result in unneeded customer confusion and re-education expenses. The 10XXX codes should not be retracted, but should be supplemented by the new 101XXXX codes.

Sprint is unaware of alternative equal access technologies other than those already in use that would hasten universal equal access. Two alternatives are available--change to or upgrade equal access capable digital switches to equal access generics, or install a program such as LEAS to offer an equal access-like service from a central point serving several older technology offices. LEAS software does not provide full equal access capabilities, and it degrades access times. However, it does allow LECs to provide most equal access features from non-conforming offices.

In Sprint's view, the current equal access rules, requiring conversion of stored program control offices after a bona fide request for independent LECs and requiring compliance with the Modification of Final Judgment for Bell Operating Companies is adequate for LECs.

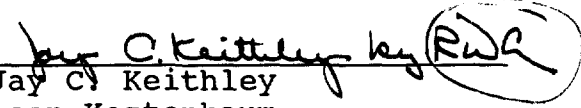
**IV.            CONCLUSION**

Sprint supports greater involvement of all industry segments and the Commission in NANP administration. Valuable numbering resources should be used for the public good and fairly apportioned to all industry participants. The Commission should be active in establishing NANP policy guidance, and willing to intervene when the industry fails to gain timely consensus on numbering issues. Additionally, before great changes in the NANP are made, the industry and the Commission must examine and understand the costs, technical problems, and benefits associated with major NANP changes.

Respectfully submitted,

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December 28, 1992

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## ATTACHMENT A

### PRINCIPLES FOR NANP ADMINISTRATION

1. NANP number resources are to be assigned on the basis of sound public policy.
2. All affected parties will be given the opportunity to provide input regarding the public policies, principles, and guidelines which govern the assignment and use of numbering resources.
3. The principles and guidelines pertaining to assignment and use of numbering resources will be published and available to all affected entities.
4. Principles, guidelines, and rules pertaining to the assignment and use of numbering resources will be fair to all affected parties.
5. Principles, guidelines, and rules pertaining to the assignment and use of numbering resources will be unbiased and applied to all affected parties equally.
6. Principles, guidelines, and rules pertaining to the assignment and use of numbering resources will not disadvantage or favor any specific group or class of affected entities.
7. While every attempt will be made to conserve numbering resources and minimize the cost and need to expand the availability of the resource, the goal of conservation will not be permitted to unduly impede the introduction of new services, capabilities, and features.

**CERTIFICATE OF SERVICE**

I, Melinda L. Mills, hereby certify that I have on this 28th day of December 1992, sent via hand delivery or U.S. First Class Mail, postage prepaid, a copy of the foregoing "Comments of Sprint" in the Matter of Administration of the North American Numbering Plan, CC Docket No. 92-237, filed this date with the Secretary, Federal Communications Commission, to the persons on the attached service list.

  
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